

**REMARKS**

**Summary of Office Action**

Claims 1-36 were pending in the application. Of these, claims 21-36 are withdrawn from consideration.

Claims 1-6, 8, 13-18, and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Shoff et al. U.S. Patent No. 6,240,555 ("Shoff") in view of Matthews et al. U.S. Patent No. 6,025,837 ("Matthews").\*

Claims 9-12 were rejected under 35 U.S.C. § 103(a) as being obvious from Shoff in view Matthews and Zavrel U.S. Patent No. 5,812,930 ("Zavrel").

**Summary of Applicants' Reply**

Applicants have amended independent claims 1 and 13 and added new claims 37 and 38 to more particularly define the claimed invention. These amendments do not add any new matter are fully supported by applicants' originally-filed specification - see, e.g. FIG. 3 and page 7, lines 15-29 of applicants' specification. The Examiner's rejections are respectfully traversed.

**Applicants' Reply**

The Examiner rejected claims 1-6, 8, 13-18, and 20 under 35 U.S.C. § 102(e) as being anticipated by Shoff in view

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\* Although the Office Action states that claims 1-6, 13-18, and 20 stand rejected under 35 U.S.C. § 102(e), applicants assume that the claims are rejected under 35 U.S.C. § 103 as the Examiner is applying an obviousness standard in using multiple references to reject these claims.

of Matthews. Claims 9-12 were rejected under 35 U.S.C. § 103(a) as being obvious from Shoff in view Matthews and Zavrel. The Examiner's rejections are respectfully traversed.

Applicants' amended independent claims 1 and 13 are directed towards, *inter alia*, a television system and method for enhancing viewing of a television program with interactive information retrieval. A television signal is received including a television program, an address for a data site, and information about the television program including a schedule of the television program. Data corresponding to the data site address is retrieved from a data service and simultaneously displayed with the television program and the information about the television program in three non-overlapping regions of a display screen.

Applicants respectfully submit that whether taken alone or in combination, Shoff and Matthews do not show or suggest the simultaneous display of a television program, data retrieved from a data site address, and information about the television program including a broadcast schedule of the television program, as defined by applicants' claims 1 and 13. The Examiner contends that Figures 1, 8b, and 8c of Shoff show "the television program, the data from the service provider, and the information about the television program [being] displayed in three non-overlapping regions on the display screen" (Office Action, page 4). However, applicants' claims 1 and 13 require that the information in one of three non-overlapping regions include information about a television program, which includes a schedule of the television program. Nowhere does Shoff show or suggest such a display. Instead, FIG. 1 of Shoff shows a screen

that is divided into a pane that contains a television program, a pane that contains a web page, and pane that can be used to show additional data, such as advertisements or the like (see Shoff, col. 2, lines 23-30). Nowhere does Shoff show or suggest that any of the items displayed in FIG. 1 include information about a television program that includes a schedule of the television program. Additionally, FIG. 8b of Shoff shows a screen that includes a television program, buttons that present various control options to the viewer, and the program title and FIG. 8c of Shoff shows a screen that includes a television program, descriptions of merchandise, and the program title. Similarly, nowhere does Shoff show or suggest that any of the items displayed in FIG. 8b and FIG. 8c include a schedule of a television program. Thus, Shoff does not show or suggest the three region display of applicants' claims.

Matthews does not make up for this deficiency in Shoff. Matthews shows a user interface (UI) for an electronic program guide with integrated hyperlinks which includes a channel panel, a time panel, a program grid, a program summary panel, and a preview window used to display clips of a selected show (see, Matthews, FIG. 5). This display is completely different from the three region display of applicants' claims, which includes three non-overlapping regions with three different kinds of information, at least because none of the items displayed in Matthews include a schedule of a television program and the television program itself. For at least this reason, the combination of Shoff and Matthews does not show or suggest each and every element of applicants' claims.

In addition, one skilled in the art would not combine Matthews with Shoff to form applicants' claimed three region display, because Shoff is not configured to display information other than advertising information along with a television program and a web page (see Shoff, FIG. 1). Applicants remind the Examiner "[t]hat mere fact that a worker in the art could rearrange the parts of the reference device to meet the terms of the claims ... is not by itself sufficient to support a finding of obviousness. The prior art must provide a ... reason for the worker in the art, without the benefit of appellant's specification, to make the necessary changes in the reference device." *Ex parte Chicago Rawhide Mfg. Co.*, 223 USPQ 351, 353; MPEP § 2144.04. Neither Shoff nor Matthews suggests any reason to modify the FIG. 1 display of Shoff to include or be replaced by any one of the user interface displays in Matthews.

For the reasons set forth above, a *prima facie* case of obviousness cannot be established – all of the claimed elements are not disclosed by the combination of Shoff and Matthews, and one skilled in the art would not make the suggested modification. Accordingly, the rejection of claims 1 and 13 should be withdrawn.

For at least the foregoing reasons, applicants respectfully submit that independent claims 1 and 13 and claims 2-6, 8-12, 14-18, and 20, which depend, directly or indirectly, from claim 1 or 13, are allowable. For at least the foregoing reasons, applicants respectfully request that the rejection of claims 1-6, 8-18, and 20 be withdrawn.

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New Claims

Applicants have added new claims 37 and 38 to more particularly define the claimed invention. As argued above, applicants' independent claims 1 and 13 are allowable. Therefore, new claims 37 and 38, which depend respectively from claim 1 or 13, are also allowable.

Conclusion

In view of the foregoing, claims 1-6, 8-18, 20, 37, and 38 are allowable. This application is therefore in condition for allowance. Reconsideration and prompt allowance of this application are accordingly respectfully requested.

Respectfully submitted,

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